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**WATER RIGHTS  
SALT LAKE**

January 27, 2003

State Water Engineer  
State of Utah

To Whom It May Concern:

We are writing this letter with deep and urgent concern about the lack of water in the Milford Flat area. Each year I attend the annual water meeting held in Milford, and each year I leave that meeting more frustrated and with less answers than the previous year's meeting. We are all acutely aware of the extremely serious drought conditions in the state, and so far we see little evidence that the State Engineer's office has addressed the severity of the problems connected with these conditions.

My farm, and also those of my father and brother are smack in the middle of the valley. Some very old water rights are attached to my acres. I used to feel comfortable about the availability of water for my farm because of its location and water right priority dates. In the last several years, it has become clearly apparent that the water table is dropping, which your office stated in last year's water meeting. It is extremely difficult for me to get enough water out of my wells now to fill my sprinkler lines. I have been forced to actually take acres out of production. I am now considering replacing sprinkler lines with a pivot system to hopefully get more efficiency out of the water that is available. Technology just simply isn't keeping up with the rapidly declining water table. In the future, if conditions do not improve, I'm wondering if I will be forced to deepen some wells which have already been replaced once, to be able to continue farming. All of these things I speak of are only short-term remedies, if any, and are absolutely not economically feasible for a small operation such as mine.

It is our opinion that the burden of responsibility for good water management in Utah, not only lies with the water user, but also the State Water Engineer. I am doing my part to the best of my ability, but the question remains if the State is doing theirs. I am not seeing any management, any answers or any show of responsibility by your office even when it comes to enforcing laws already in place. We understand that state water statute uses the word "scarcity" when describing conditions to be severe enough to act upon. Does "scarcity" mean one irrigation season left or even one glass full left? We are in a water crisis, and wondering where the so called keepers of the law are. Will the State take responsibility when all that is coming out of my wells is air, and my entire farming operation is in jeopardy? Why, when I am in full compliance and always have been do I need to shoulder the entire burden? Why, during the worst five year drought cycle in centuries is the State allowing users to move water right upstream from me sucking the water table even lower? We are extremely concerned

why temporary water changes are being allowed during such severe drought conditions. As long as it looks good on the annual aerial photograph you people seem to be satisfied that all is well in the valley. When in reality, that is far from the truth. As we look at the aerial map each year and see over pumping in the valley, why is this practice continually being allowed? If a user over pumps one year, why aren't they forced to cut back usage the following year since they have already used the water?

The main premise of this letter is a desperate call for help. The following are some specific questions that we expect responses to before this year's water meeting. We feel that the future of our water is in great jeopardy, unless the State acts promptly.

1. Has year round pumping by Circle Four Farms affected the valley's water supply, since that practice is not allowing for any recharge time? Is the State completely confident that the amount of water allowed for Circle Four usage was calculated correctly?
2. What was the original intent of temporary water changes? Was it to finish out a crop or completely raise a crop? Is this practice in the best interest of the valley in severe drought years?
3. What is the state law concerning priority dates when water becomes "scarce" in the Milford Valley? What exactly is the state's definition of "scarcity"?
4. Knowing that farmers who use pivots are watering earlier and later in the irrigation year, why doesn't the State require water meters to accurately determine water usage?
5. What is the State Water Engineer's plan?

We expect full and complete answers to our concerns. Thank you very much.

With great concern:



Allan J Mayer & Shauna Mayer  
A & S Farms, Inc.